

SIMMONS, JANNACE & STAGG, L.L.P.

KEVIN P. SIMMONS
STEVEN D. JANNACE
THOMAS E. STAGG*
DEBRA LYNN WABNIK*
DANIEL P. GREGORY*
ANDREW MAZIN
SAL F. DELUGA

JASON W. CREECH
JACQUELINE DELLA CHIESA

KATHRYN FITZGERALD
MICHAEL D. KERN
ALLISON C. LEBOWITZ

ADAM M. LEVY
HALEY E. OLAND

CARYN M. PINCUS*
COREY J. PUGLIESE
MARVIN N. ROMERO*
MICHELLE E. TARSON*

ATTORNEYS AT LAW
75 JACKSON AVENUE

SYOSSET, NEW YORK 11791-3139

(516) 357-8100
FAX (516) 357-8111

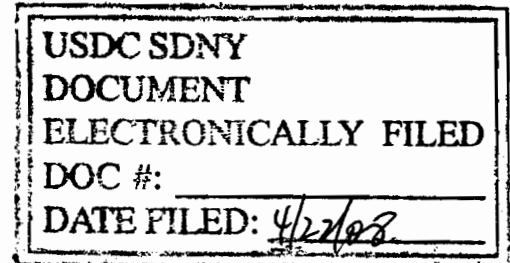
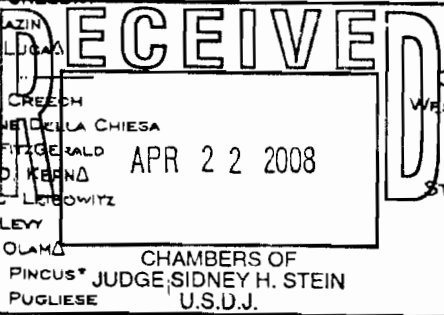
381 BROADWAY, SUITE 300
WESTWOOD, NEW JERSEY 07675

700 CANAL STREET
STAMFORD, CONNECTICUT 06902

COUNSEL

SUSAN B. JANNACE
ROSS M. CHINITZ
KRISTEN RENZULLI*

*ALSO ADMITTED NJ
*ALSO ADMITTED CT
*ALSO ADMITTED DC



April 21, 2008

VIA FACSIMILE: (212) 805-7924

The Honorable Sidney H. Stein
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

MEMO ENDORSED

Re: Denise G. Tiernan v. Control Building Services,
Inc., Simon Property Group, Inc. and Simon
Property Group, L.P.
Civil Action No.: 08 Civ. 1633 (SHS) (AJP)
Stein, J.
Peck, M.J.
Our File No.: SPG 5316

Dear Judge Stein:

This firm represents the defendants, Control Building Services, Inc., Simon Property Group, Inc. and Simon Property Group, L.P., in the above-referenced matter.

This office is respectfully requesting an adjournment of the Initial Conference that is presently scheduled for April 24, 2008 at 10:00 a.m. An attorney has recently left the firm and I am now responsible for several of his cases. Two of these cases are scheduled for trial conferences in Supreme Court, Nassau County on April 24th at 9:30 A.M. Each case has potentially significant exposure and requires my personal appearance.

The Honorable Sidney H. Stein
United States District Judge
United States District Court
Southern District of New York
April 21, 2008
Page 2

This is the second request for an adjournment of the initial conference. The first request was graciously granted by the Court. I have spoken with my adversary and he has consented to this application. As per the Court's rules, this request is being made more than forty eight hours in advance of the conference.

Thank you for the opportunity to address the Court in connection with this matter.

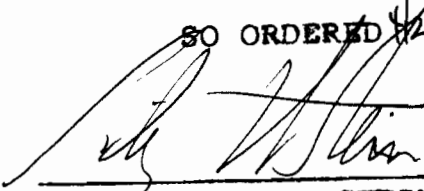
Respectfully submitted,

Michael D. Kern (mk 9573)

cc: Albert & Kaufman
The Woolworth Building
233 Broadway - Suite 707
New York, New York 10279
Fax No. (212) 964-6161

*The conference is adjourned
to 5/5/08, at 2:00 p.m.*

SO ORDERED 4/22/08


SIDNEY H. STEIN
U.S.D.J.